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1/15/09

United States District Court

DISTRICT OF ARIZONA

UNITED STATES OF AMERICA

v.

Seryan Gevorgyan
A070 225 023

CRIMINAL COMPLAINT

CASE NUMBER: 09.6034M

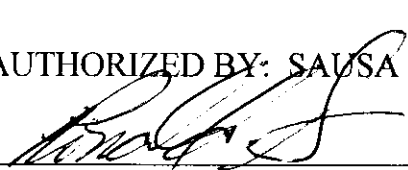
I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief.

On or about September 12, 2005, Seryan Gevorgyan, an alien, entered, and was found in the United States of America at or near Phoenix, Arizona, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Los Angeles, California, on or about May 8, 2004, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Sections 1326(a) and enhanced by (b)(2).

I further state that I am a Deportation Officer of the United States Immigration and Customs Enforcement and that this complaint is based on the following facts:

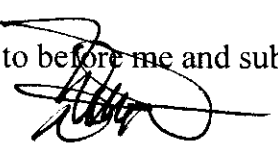
See Attached Statement of Probable Cause Incorporated By Reference Herein

AUTHORIZED BY: SAUSA Brent Landis for AUSA Dominic Lanza.



Signature of Complainant, Ronald Storz, Deportation Officer

Sworn to before me and subscribed in my presence, January 16, 2009, at Phoenix, Arizona.



Signature of Judicial Officer
David K. Duncan
United States Magistrate Judge

STATEMENT OF PROBABLE CAUSE


I, Ronald Storz, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with the United States Immigration and Customs Enforcement. I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 12, 2005, Seryan Gevorgyan was encountered at the Arizona Department of Corrections Prison Complex, in Phoenix, Arizona. While incarcerated, Gevorgyan was examined by ICE Agents. ICE Agents determined Gevorgyan to be a citizen of Armenia, not in possession of immigration documents allowing him to be in the United States legally. On the same day, ICE Agents lodged an immigration detainer with the state prison. On January 15, 2009, Gevorgyan was released to ICE custody and transported to the ICE detention center in Phoenix, Arizona, for further investigation and processing.
3. Immigration history checks revealed Seryan Gevorgyan to be a citizen of Armenia and a previously deported criminal alien. Gevorgyan was removed from the United States to Armenia, through Los Angeles, California, on or about May 8, 2004, pursuant to

final order of removal issued by an immigration judge. There is no record in Gevorgyan's alien registration file to suggest that Gevorgyan obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Gevorgyan's immigration history was matched to him by electronic fingerprint comparison.

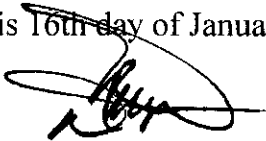
4. Criminal history checks revealed that Seryan Gevorgyan was convicted of Forgery, a felony offense, on October 18, 1999, in the Superior Court of California, Los Angeles County. Gevorgyan was sentenced to one (1) year and four (4) months incarceration. Gevorgyan's criminal history was matched to him by electronic fingerprint comparison.
5. On January 15, 2009, Seryan Gevorgyan was advised of his constitutional rights. Gevorgyan refused to acknowledge his rights and declined to provide any statements.
6. For these reasons, the affiant submits that there is probable cause to believe that on or about September 12, 2005, Seryan Gevorgyan, an alien, entered, and was found in the United States of America at or near Phoenix, Arizona, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Los Angeles, California, on or about May 8, 2004, and not

having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Sections 1326(a) and enhanced by (b)(2).



Ronald Storz, Deportation Officer
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 16th day of January, 2009.



David K. Duncan
United States Magistrate Judge